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SENSITIVE
SIPDIS

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TAGS: [PGOV](#) [PHUM](#) [SOCI](#) [EK](#)
SUBJECT: DEMARCHE REQUEST: UN RAPPORTEUR ON TORTURE,S
FINDINGS IN EQUATORIAL GUINEA

REF: MALABO 136

¶1. (U) This is an action request. Please see paragraph 3.

SUMMARY

¶2. (SBU) Summary: Department requests Embassy Malabo to reach out to appropriate interlocutors to convey USG concern with the findings of UN Special Rapporteur on Torture Manfred Nowak.

The Department recognizes the growing importance of Equatorial Guinea with respect to U.S. economic interests and regional maritime security. However, we must continue to pursue a strong human rights agenda that emphasizes respect for civil and political liberties. The Department expects the GREG to announce concrete steps it will take to address the United Nations specific concerns and that failure to do so will limit the ability of the USG to be supportive of EG reform efforts.

A/DAS Wycoff has already conveyed the same points to the Equato-Guinean Embassy in Washington (will be reported septel).
End Summary.

OBJECTIVES

¶3. (SBU) Department instructs Embassy to pursue the following objectives:

--Underscore the U.S. interest in improving relations with Equatorial Guinea (EG). While the U.S. is committed to this relationship, EG must take the lead on improving its human rights record as well as commit significantly to its own development.

--Note that the U.S. was dismayed to learn of the UN Special Rapporteur's finding that the Government of Equatorial Guinea (GREG) uses torture systematically in its judicial system. How has the GREG responded to these findings?

--Indicate disappointment that Special Rapporteur Nowak was denied access to military detention facilities at Cogo Military Camp and at Mane Ela Military Camp and repeat access to the Central Police Stations in Malabo and Bata. Ask why access was denied in these cases.

--Commend Equatorial Guinea for taking an important step forward in inviting the Special Rapporteur, but highlight the urgency for quick action to rectify the problems listed in the Rapporteur's initial statement.

--Express the expectation that there will be no reprisals against those in the police and prison system who spoke about conditions.

--Commend EG for positive developments made within the penal system such as the construction of several new facilities, better hygienic conditions in some facilities, and a forward leaning prison warden who promoted the humane treatment of his prisoners. Continuing these types of reforms will help EG improve its image in the world.

--Indicate that Department will ask Embassy Malabo to increase the number of prison and police station visits that it makes. We hope that our staff is granted access. We also appreciated the Minister of Justice's offer to look into the cases of three disappeared persons considered by many as political prisoners who were known to be held (incommunicado) in Black Beach prison.

--Ask if any of the security officials trained by U.S. company MPRI were involved in torture or use of force to obtain cooperation from people in their custody. If so, we need to develop a joint plan of action to ensure that this never happens again.

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--Urge Government of Equatorial Guinea to establish clear, discernible human rights benchmarks, specifically on torture, in response to this report. In the near term, there needs to be a public plan of action with a firm timeline to eliminate torture from the EG justice system and a mechanism to follow up on implementation. In addition, we expect the GREG to continue to make visible progress in releasing remaining political prisoners, developing and strengthening civil society, and taking other measures to further institute the rule of law. To the extent the GREG is willing to continue and strengthen its political reform program, the USG is willing to continue its support. Given the likely impact of the Special Rapporteur's report, it is critical that the GREG take quick, visible, and effective actions to demonstrate its intentions to deal positively with criticism and implement concrete reforms.

BACKGROUND

14. (SBU) During his mission to Equatorial from November 9-18 2008, UN Special Rapporteur on Torture Manfred Nowak found that the GREG employed the "systematic use of torture" on prisoners and detailed evidence of specific techniques used to extract evidence or confessions from prisoners. He also lamented lack of access to some detention facilities, but also noted some improvement in prison conditions. Per reftel, Nowak warned members of the diplomatic community during his debriefing November 18 that governments were walking a fine line in promoting good relations between their governments and the GREG and being complicit in the use of torture within the EG penal system.

15. (SBU) In light of the findings of the UN Special Rapporteur on Torture on conditions in that country, we invited Ambassador Ondo to the Department to emphasize to her and to her government that the U.S., while a friend of EG's, does not condone torture and that the Government of Equatorial Guinea (GREG) must swiftly implement reforms to improve its dismal human rights and development record (separate cable with comprehensive readout will follow). We plan to raise issue with Department officials.

REPORTING DEADLINE

18. (U) Embassy should report results of efforts by cable to AF/C Madeeha Ashraf by December 2.

POINT OF CONTACT

19. (U) Please contact Madeeha Ashraf at (202) 647-2973 or via e-mail for any necessary further background information or argumentation to meet our objectives.
RICE